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Testimony to the Judiciary by Rep. Beth Bye, 19th District

On HB 6532, An Act Concerning The Statute Of Limitations For Bringing An Action For Damages For The Sexual Assault Of A Minor
3/26/2009

Thank you Chairmen Lawlor and McDonald,

I am here to testify in support of House Bill 6532, An Act Concerning the Statute Of Limitations for Bringing an Action for Damages for the Sexual Assault of a Minor.

I raised this bill on behalf of a constituent from Avon who suffered sexual abuse as a child by Dr. Reardon. However, he missed the civil statute of limitations to file a claim.

He was very frustrated that our laws restricted his ability to seek restitution for the abuse he suffered. In addition to this constituent, I have since heard from many more victims of Dr. Reardon who live in West Hartford. While some fall within the statute of limitations to file a civil suit, others fall just outside of it and can't make a claim.

Under current state law, victims of childhood sexual abuse can bring civil claims until they are 48 years old, 30 years after they turn 18. The bill before you seeks to give victims three years from the discovery of new material evidence to sue, regardless of their age.

The Reardon case is very unusual because in 2007, physical evidence emerged that supports the victims claims. West Hartford Police discovered a huge collection of **child pornography in a hidden storage space** in Dr. Reardon's former home – which included 50,000 35mm slides and more than 100 8mm movie reels.

This discovery brought up repressed memories for some victims. For others, it offers previously unavailable physical evidence to support their claims. In addition, as police identify victims from the photos, they have contacted them. If they are 47-years-old, they have a claim, but if they are 48 or older, they have no claim.

For all victims, this new evidence was not something that could have reasonably been expected to be uncovered.

Since introducing the legislation, I have received many emails, letters and phone calls from victims. One stated:

"I have been trying for years to get St. Francis to take some responsibility for this matter, but with very little success. Now at least evidence has come to light but I can take no action because I am 49 years old."

Another victim states:

"I was a patient of Dr. George Reardon of West Hartford. I have visited the West Hartford Police Department and been informed that I and my siblings are among the stash of photographs ... This event has caused much hardship among our individual lives and has had a prolonged impact. I ask that my name be confidential."

A third victim:

"As a young child, I was a victim of Dr. Reardon. I was in fear of disclosure of the issue and felt I was powerless to speak out. It was my word against an established physician."

And finally:

"My experience can never be erased from my conscience or psyche, but I managed to move on until the physical evidence of the pictures taken was found. The discovery has made me re-live my past. I believe in this case, finding the photos prove that a crime has been committed. It is a very complex and emotional issue and I believe we should allow the judicial system to review each case on its own merit without broad arbitrary legislative restrictions."

Members of the Committee, I hope you will support this bill and help the victims – some of whom will come before you today – seek justice for their abuse.

This committee cannot and should not decide if an agency or institution is culpable for the sexual abuse of these many children – who are now adults still suffering from

that abuse. A judge or legal mediator will ultimately determine if an institution is culpable and has to pay restitution to the victims for the abuse.

This committee and Bill 6532 would only open the door so the victims, who now have new physical evidence to support their claims, can make their case in a Connecticut court of law.